

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
March 19, 2006  
Tribal Court Room 7500 Odawa Circle  
9:15 a.m. Smudging  
9:30 a.m.

Executive Session: no

Call to Order: Meeting was called to order at: 9:32 a.m.

Council Present: Legislative Leader Beatrice A. Law, Secretary Melvin L. Kiogima, Treasurer Shirley Oldman, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Rita Shananaquet, Councilor Mary Roberts, Councilor Regina Gasco Bentley, Councilor Fred Harrington, Jr.

Absent:: None

Executive Office Present: Tribal Chairman Frank Ettawageshik, William Denemy-Vice Chairman, Rebecca Fisher-Executive Assistant

Legal Staff Present: Allie Greenleaf Maldonado-Assistant General Counsel

Staff Present: Michele LaCount-Legislative Office Manager, Dawn Shenoskey-Tribal Court Administrator, Valerie Tweedie-Chief Financial Officer, Carla McFall-Language Coordinator, Albert Colby, Jr., Heidi Yapple-Grant Writer

Commission, Boards and Committees: none

Guests: Mary Schneider, Susan Swadling, Harvey Gibson, Jim Fisher, Tyler Fisher, Alex Fisher

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Opening Ceremony: Beatrice A. Law

Motion made by Councilor McNamara and supported by Councilor Roberts to adopt the agenda for March 19, 2006 as amended.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to approve the minutes of March 5, 2006 as presented.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to ratify into the record the Phone Poll of March 8, 2006. The reason for the Phone Poll was: There is a deadline of March 15, 2006 for funding Tribal Transportation Improvement. This is a BIA requirement. Phone Poll Passed

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to adopt Tribal Resolution # 031906-01 Appropriating \$24,111.92 in Additional Funding to the Tribal General Funds, to Come From Prior Period Fund Balance, 2006 Tribal Court Budget

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

10:22 a.m. Recess Called

10:34 a.m. Meeting Reconvened

Motion made by Councilor McNamara and supported by Councilor Gasco Bentley to accept the Legal Department's verbal and written report presented by Allie Greenleaf Maldonado, as presented.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Shananaquet to protect the Little Traverse Bay Bands of Odawa Indians logo with U.S. Patent and Trademark Office to include the logo with feathers and the words Waganakising Odawa.

Vote: 6 Yes, 3 No (Secretary Kiogima, Councilor McNamara, Legislative Leader Law), 0 Abstained, 0 Absent

Motion Carried

Motion made by Treasurer Oldman and supported by Councilor McNamara to abandon class 06, class 012, class 042 of the U.S. Patent and Trademark Office.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Harrington)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to adopt Tribal Resolution # 031906-02 Approve and Appropriate Fluent Anishnaabemowin Teacher Position for \$74,504.

(Motion on hold in consideration of Public Comment)

11:47 a.m. Public Comment opened: Mary Schneider, Susan Swadling, Harvey Gibson, Jim Fisher, Tyler Fisher, Alex Fisher

12:00 p.m. Public Comment closed

(Discussion of previous motion continues regarding proposed resolution)

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-abstained, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

12:17 p.m. Lunch recess called until 1:45 p.m.

1:50 p.m. Meeting resumed

Councilor Shananaquet absent

Motion made by Councilor Gasco Bentley and supported by Treasurer Oldman to adopt Tribal Resolution # 031906-03 Travel Funding for Native American Olympics.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-no, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-no, Treasurer Oldman-yes, Secretary Kiogima-no, Legislative Leader Law-no

Motion died

2:18 p.m. recess called

2:22 p.m. meeting reconvened

Motion made by Councilor Harrington and supported by Councilor Yellowbank to adopt Tribal Resolution # 031906-04 Recommendation to the State of Michigan for inclusion of Anishinaabemowin as a Second Language in Educational Requirements.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Harrington and supported by Treasurer Oldman to adopt Resolution # 031906-05 to Stop Conducting Business with "Pete's Pipe and Barrel" as Long as They Display a "Cigar Store Indian".

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to place Business Assumed Name Act sponsored by Fred Harrington on the Legislative agenda.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to place Food Safety Act sponsored by Fred Harrington on the Legislative agenda.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Yellowbank to place Gijigowi Anishnaabemowin Program Act Sponsored by Fred Harrington on the Legislative agenda.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to place Tribal Member Preference in Training Act as sponsored by Councilor Harrington on the Legislative agenda.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to enact Judicial and Prosecutorial Appointments.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-no, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to enact Disclosure of Public Compensation Act.

(Motion on hold in consideration of Recess)

3:22 p.m. Recess Called

3:30 p.m. Meeting Reconvened

(Discussion of previous motion continues regarding proposed statute)

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-no, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-no, Treasurer Oldman-no, Secretary Kiogima-no, Legislative Leader Law-no

Motion Fails

3:52 p.m. Motion made by Secretary Kiogima and supported by Councilor McNamara to go into closed session to discuss the Carey v. Victories Casino, Harlan Eckholm and John Espinosa, case. The session will be recorded on a separate disc.

Vote: 6 Yes, 0 No, 2 Abstained (Treasurer Oldman, Councilor Roberts), 1 Absent (Councilor Shananaquet)

Motion Carried

3:53 p.m. Motion made by Councilor Harrington and supported by Councilor Roberts to go out of closed session.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

4:00 p.m. Public Comment opened: no comments

4:01 p.m. Public Comment closed

Motion made by Councilor Yellowbank and supported by Treasurer Oldman for Tribal Council to attend the STOP Grant proposed Domestic Violence Statute informational seminar and to support \$811.25 for the Special Event in May 2006. Cost to come from the Tribal Council Special Event, line item.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Secretary Kiogima and supported by Councilor McNamara to adopt Tribal Resolution # 031906-06 Permission to Discuss Law Suit with Tribal Chairman and Tribal Council.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-abstained, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-abstained, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

4:15 p.m. Motion made by Secretary Kiogima and supported by Councilor McNamara to go into closed session to discuss the Carey v. Victories Casino, Harlan Eckholm, John Espinosa case. The session will be recorded on separate disc.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Harrington)

Motion Carried

4:55 p.m. Motion made by Councilor Roberts and supported by Councilor Harrington to go out of closed session.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Secretary Kiogima and supported by Councilor Roberts to adopt Tribal Resolution # 031906-07 Permission to Discuss all Employee Handbooks with the Executive Branch.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Harrington to accept the Tribal Executive verbal and written report with confidential report with in.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to adopt Tribal Resolution # 031906-08 To Approve Requested Action in Enjinaaknegeng Confidential Memo # 031906-01.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-abstained, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-abstained, Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Harrington to adopt Resolution # 031906-09 United States Environmental Protection Agency FY 2006 Tribal Solid Waste Management Assistance Project Little Traverse Bay Bands of Odawa Indians Alternative Solid Waste Management Project.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion Carried

Motion made by Councilor Roberts and supported by Councilor Harrington to adopt tribal Resolution # 031906-10 Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment, Recovery Community Services Program, Little Traverse Bay Bands of Odawa Indians In collaboration with the Inter-Tribal Council of Michigan, Inc. Peer Recovery Support Services Grant.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Yellowbank to adopt Tribal Resolution # 031906-11 Request for Funding from the U.S. Department of Education, Office of Elementary and Secondary Education, Fiscal Year 2006 Demonstration Grants for Indian Children, Little Traverse Bay Bands of Odawa Indians Educational Opportunities Improvement Project for Indian Students.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Gasco Bentley to adopt Tribal Resolution # 031906-12 Request for Funding from the Institute of Museum and Library Services, Native American/Native Hawaiian Museum Services Grant Program Little Traverse Bay Bands of Odawa Indians 2006 Museum Services Project.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent,

Councilor Yellowbank-yes, Treasurer Oldman-Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Yellowbank to adopt Tribal Resolution # 031906-13 Request for Funding from the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Mentoring Initiative for System Involved Youth, Little Traverse Bay Bands of Odawa Indians Youth Mentoring Project.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-absent, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion Carried

Motion made by Councilor Gasco Bentley and supported by Treasurer Oldman to adopt Tribal Resolution # 031906-14 Resolution for Miss Odawa Nation Travel and Supplies Funding.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-Secretary Kiogima-yes, Legislative Leader Law-yes  
Motion Carried

Motion made by Councilor Gasco Bentley and supported by Treasurer Oldman to approve Enrollment List A-Eligible for Membership dated February 27, 2006.  
Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)  
Motion Carried

Motion made by Councilor Gasco Bentley and supported by Treasurer Oldman to approve Enrollment List B-Declination ineligible dated February 27, 2006.  
Vote: 6 Yes, 2 No (Councilor McNamara, Councilor Harrington), 0 Abstained, 1 Absent (Councilor Shananaquet)  
Motion Carried

Motion made by Councilor Roberts and supported by Councilor Harrington to accept the Tribal Council Treasurer's report.  
Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)  
Motion Carried

6:40 p.m. Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to adjourn.  
Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)  
Motion Carried

These Minutes have been read and approved as written:  
Approved:

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Melvin L. Kiogima, Tribal Council Secretary

Date